

1 **BARBER, COSMETOLOGIST/BARBER,**
2 **ESTHETICIAN, ELECTROLOGIST, AND**
3 **NAIL TECHNICIAN LICENSING ACT**

4 **AMENDMENTS**

5 2010 GENERAL SESSION

6 STATE OF UTAH

7 **Chief Sponsor: Merlynn T. Newbold**

8 Senate Sponsor: Allen M. Christensen

9
10 **LONG TITLE**

11 **General Description:**

12 This bill amends definition and licensing qualification provisions of the Barber,
13 Cosmetologist/Barber, Esthetician, Electrologist, and Nail Technician Licensing Act.

14 **Highlighted Provisions:**

15 This bill:

- 16 ▶ modifies the definitions of the practice of basic esthetics and practice of
17 cosmetology/barbering;
- 18 ▶ provides for acceptance of graduation from an out-of-state recognized master
19 esthetics school and practicing at least 4,000 hours as a licensed master esthetician
20 as another option for satisfying one of the requirements to become a licensed
21 master esthetician; and
- 22 ▶ provides for the accepted transferability of credit hours towards graduation.

23 **Monies Appropriated in this Bill:**

24 None

25 **Other Special Clauses:**

26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **58-11a-102**, as last amended by Laws of Utah 2009, Chapter 130

30 **58-11a-302**, as last amended by Laws of Utah 2009, Chapters 130 and 183

31

32 *Be it enacted by the Legislature of the state of Utah:*

33 Section 1. Section **58-11a-102** is amended to read:

34 **58-11a-102. Definitions.**

35 As used in this chapter:

36 (1) "Approved barber or cosmetologist/barber apprenticeship" means an
37 apprenticeship that meets the requirements of Subsection 58-11a-306(1) for barbers or
38 Subsection 58-11a-306(2) for cosmetologist/barbers and the requirements established by rule
39 by the division in collaboration with the board in accordance with Title 63G, Chapter 3, Utah
40 Administrative Rulemaking Act.

41 (2) "Approved esthetician apprenticeship" means an apprenticeship that meets the
42 requirements of Subsection 58-11a-306(3) and the requirements established by rule by the
43 division in collaboration with the board in accordance with Title 63G, Chapter 3, Utah
44 Administrative Rulemaking Act.

45 (3) "Approved master esthetician apprenticeship" means an apprenticeship that meets
46 the requirements of Subsection 58-11a-306(4) and the requirements established by rule by the
47 division in collaboration with the board in accordance with Title 63G, Chapter 3, Utah
48 Administrative Rulemaking Act.

49 (4) "Approved nail technician apprenticeship" means an apprenticeship that meets the
50 requirements of Subsection 58-11a-306(5) and the requirements established by rule by the
51 division in collaboration with the board in accordance with Title 63G, Chapter 3, Utah
52 Administrative Rulemaking Act.

53 (5) "Barber" means a person who is licensed under this chapter to engage in the
54 practice of barbering.

55 (6) "Barber instructor" means a barber who is licensed under this chapter to teach
56 barbering at a licensed barber school or in an apprenticeship program as defined in Section
57 58-11a-306.

58 (7) "Board" means the Barber, Cosmetology/Barbering, Esthetics, Electrology, and
59 Nail Technology Licensing Board created in Section 58-11a-201.

60 (8) "Cosmetologist/barber" means a person who is licensed under this chapter to
61 engage in the practice of cosmetology/barbering.

62 (9) "Cosmetologist/barber instructor" means a cosmetologist/barber who is licensed
63 under this chapter to teach cosmetology/barbering at a licensed cosmetology/barber school,
64 licensed barber school, licensed nail technology school, or in an apprenticeship program as
65 defined in Subsection 58-11a-306(2).

66 (10) "Direct supervision" means that the supervisor of an apprentice or the instructor
67 of a student is immediately available for consultation, advice, instruction, and evaluation.

68 (11) "Electrologist" means a person who is licensed under this chapter to engage in the
69 practice of electrology.

70 (12) "Electrologist instructor" means an electrologist who is licensed under this
71 chapter to teach electrology at a licensed electrology school.

72 (13) "Esthetician" means a person who is licensed under this chapter to engage in the
73 practice of esthetics.

74 (14) "Esthetician instructor" means a master esthetician who is licensed under this
75 chapter to teach the practice of esthetics and the practice of master-level esthetics at a licensed
76 esthetics school, a licensed cosmetology/barber school, or in an apprenticeship program as
77 defined in Subsection 58-11a-306(3).

78 (15) "Fund" means the Barber, Cosmetologist/Barber, Esthetician, Electrologist, and
79 Nail Technician Education and Enforcement Fund created in Section 58-11a-103.

80 (16) "Licensed barber or cosmetology/barber school" means a barber or
81 cosmetology/barber school licensed under this chapter.

82 (17) "Licensed electrology school" means an electrology school licensed under this
83 chapter.

84 (18) "Licensed esthetics school" means an esthetics school licensed under this chapter.

85 (19) "Licensed nail technology school" means a nail technology school licensed under

86 this chapter.

87 (20) "Master esthetician" means an individual who is licensed under this chapter to
88 engage in the practice of master-level esthetics.

89 (21) "Nail technician" means an individual who is licensed under this chapter to
90 engage in the practice of nail technology.

91 (22) "Nail technician instructor" means a nail technician licensed under this chapter to
92 teach the practice of nail technology in a licensed nail technology school, a licensed
93 cosmetology/barber school, or in an apprenticeship program as defined in Subsection
94 58-11a-306(5).

95 (23) "Practice of barbering" means:

96 (a) cutting, clipping, or trimming the hair of the head of any person by the use of
97 scissors, shears, clippers, or other appliances;

98 (b) draping, shampooing, scalp treatments, basic wet styling, and blow drying; and

99 (c) removing hair from the face or neck of a person by the use of shaving equipment.

100 (24) "Practice of barbering instruction" means instructing barbering in a licensed
101 barber school, licensed cosmetology/barber school, or in an apprenticeship program as defined
102 in Subsection 58-11a-306(1).

103 (25) "Practice of basic esthetics" means any one of the following skin care procedures
104 done on the head, face, neck, arms, hands, legs, feet, eyebrows, or eyelashes for cosmetic
105 purposes and not for the treatment of medical, physical, or mental ailments:

106 (a) cleansing, stimulating, manipulating, exercising, applying oils, antiseptics, clays,
107 or masks, manual extraction, including a comedone extractor, depilatories, waxes, tweezing,
108 the application of eyelash extensions, natural nail manicures or pedicures, or callous removal
109 by buffing or filing;

110 (b) limited chemical exfoliation as defined by rule;

111 (c) removing superfluous hair by means other than electrolysis, except that an
112 individual is not required to be licensed as an esthetician to engage in the practice of
113 threading;

114 (d) other esthetic preparations or procedures with the use of the hands, a
115 high-frequency or galvanic electrical apparatus, or a heat lamp for cosmetic purposes and not
116 for the treatment of medical, physical, or mental ailments; or

117 (e) cosmetic laser procedures under direct supervision of a licensed health care
118 practitioner as defined by rule, limited to the following:

- 119 (i) superfluous hair removal;
- 120 (ii) anti-aging resurfacing enhancements;
- 121 (iii) photo rejuvenation; or
- 122 (iv) tattoo removal.

123 (26) (a) "Practice of cosmetology/barbering" means:

124 (i) styling, arranging, dressing, curling, waving, permanent waving, cleansing,
125 singeing, bleaching, dyeing, tinting, coloring, or similarly treating the hair of the head of a
126 person;

127 (ii) cutting, clipping, or trimming the hair by the use of scissors, shears, clippers, or
128 other appliances;

129 (iii) arching eyebrows, or tinting eyebrows or eyelashes, [~~or both~~] applying eyelash
130 extensions, or any combination of these procedures;

131 (iv) removing hair from the face, neck, shoulders, arms, back, torso, feet, bikini line,
132 or legs of a person by the use of depilatories, waxing, or shaving equipment;

133 (v) cutting, curling, styling, fitting, measuring, or forming caps for wigs or hairpieces
134 or both on the human head; or

135 (vi) practicing hair weaving or hair fusing or servicing previously medically
136 implanted hair.

137 (b) The term "practice of cosmetology/barbering" includes:

- 138 (i) the practice of basic esthetics; and
- 139 (ii) the practice of nail technology.

140 (c) An individual is not required to be licensed as a cosmetologist/barber to engage in
141 the practice of threading.

142 (27) "Practice of cosmetology/barbering instruction" means instructing
143 cosmetology/barbering as defined in Subsection (26) in a licensed cosmetology/barber school
144 or in an apprenticeship program as defined in Subsection 58-11a-306(2).

145 (28) "Practice of electrology" means:

146 (a) the removal of superfluous hair from the body of a person by the use of electricity,
147 waxing, shaving, or tweezing; or

148 (b) cosmetic laser procedures under the general supervision of a licensed health care
149 practitioner as defined by rule, limited to superfluous hair removal.

150 (29) "Practice of electrology instruction" means instructing electrology in a licensed
151 electrology school.

152 (30) "Practice of esthetics instruction" means instructing esthetics in a licensed
153 esthetics school, a licensed cosmetology/barber school, or instructing master-level esthetics in
154 a licensed esthetics school or in an apprenticeship program as defined in Subsections
155 58-11a-306(2), (3), and (4).

156 (31) (a) "Practice of master-level esthetics" means:

157 (i) any of the following when done for cosmetic purposes on the head, face, neck,
158 torso, abdomen, back, arms, hands, legs, feet, eyebrows, or eyelashes and not for the treatment
159 of medical, physical, or mental ailments:

160 (A) body wraps as defined by rule;

161 (B) hydrotherapy as defined by rule;

162 (C) chemical exfoliation as defined by rule;

163 (D) advanced pedicures as defined by rule;

164 (E) sanding, including microdermabrasion;

165 (F) advanced extraction;

166 (G) other esthetic preparations or procedures with the use of:

167 (I) the hands; or

168 (II) a mechanical or electrical apparatus which is approved for use by division rule for
169 beautifying or similar work performed on the body for cosmetic purposes and not for the

170 treatment of a medical, physical, or mental ailment; or

171 (H) cosmetic laser procedures under the general supervision of a licensed health care
172 practitioner as defined by rule, with a physician's evaluation before the procedure, as needed,
173 and limited to the following:

174 (I) superfluous hair removal;

175 (II) anti-aging resurfacing enhancements;

176 (III) photo rejuvenation; or

177 (IV) tattoo removal with a physician's evaluation before the tattoo removal procedure;

178 and

179 (ii) lymphatic massage by manual or other means as defined by rule.

180 (b) Notwithstanding the provisions of Subsection (31)(a), a master-level esthetician
181 may perform procedures listed in Subsection (31)(a)(i) for noncosmetic purposes if done under
182 the supervision of a licensed health care practitioner acting within the scope of the licensed
183 health care practitioner's license as defined by rule.

184 (c) The term "practice of master-level esthetics" includes the practice of esthetics, but
185 an individual is not required to be licensed as an esthetician or master-level esthetician to
186 engage in the practice of threading.

187 (32) "Practice of nail technology" means to trim, cut, clean, manicure, shape, massage,
188 or enhance the appearance of the hands, feet, and nails of an individual by the use of hands,
189 mechanical, or electrical preparation, antiseptic, lotions, or creams, including the application
190 and removal of sculptured or artificial nails.

191 (33) "Practice of nail technology instruction" means instructing nail technology in a
192 licensed nail technician school, licensed cosmetology/barber school, or in an apprenticeship
193 program as defined in Subsection 58-11a-306(5).

194 (34) "Recognized barber school" means a barber school located in a state other than
195 Utah, whose students, upon graduation, are recognized as having completed the educational
196 requirements for licensure in that state.

197 (35) "Recognized cosmetology/barber school" means a cosmetology/barber school

198 located in a state other than Utah, whose students, upon graduation, are recognized as having
199 completed the educational requirements for licensure in that state.

200 (36) "Recognized electrology school" means an electrology school located in a state
201 other than Utah, whose students, upon graduation, are recognized as having completed the
202 educational requirements for licensure in that state.

203 (37) "Recognized esthetics school" means an esthetics school located in a state other
204 than Utah, whose students, upon graduation, are recognized as having completed the
205 educational requirements for licensure in that state.

206 (38) "Recognized nail technology school" means a nail technology school located in a
207 state other than Utah, whose students, upon graduation, are recognized as having completed
208 the educational requirements for licensure in that state.

209 (39) "Salon" means a place, shop, or establishment in which cosmetology/barbering,
210 esthetics, electrology, or nail technology is practiced.

211 (40) "Unlawful conduct" is as defined in Sections 58-1-501 and 58-11a-502.

212 (41) "Unprofessional conduct" is as defined in Sections 58-1-501 and 58-11a-501 and
213 as may be further defined by rule by the division in collaboration with the board in accordance
214 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

215 Section 2. Section **58-11a-302** is amended to read:

216 **58-11a-302. Qualifications for licensure.**

217 (1) Each applicant for licensure as a barber shall:

218 (a) submit an application in a form prescribed by the division;

219 (b) pay a fee determined by the department under Section 63J-1-504;

220 (c) be of good moral character;

221 (d) provide satisfactory documentation of:

222 (i) graduation from a licensed or recognized barber school or a licensed or recognized
223 cosmetology/barber school whose curriculum consists of a minimum of 1,000 hours of
224 instruction or the equivalent number of credit hours over a period of not less than 25 weeks;

225 (ii) (A) having graduated from a recognized barber school located in a state other than

226 Utah whose curriculum consists of less than 1,000 hours of instruction or the equivalent
227 number of credit hours; and

- 228 (B) having practiced as a licensed barber for a period of not less than 2,000 hours; or
- 229 (iii) having completed an approved barber apprenticeship; and
- 230 (e) meet the examination requirement established by rule.

231 (2) Each applicant for licensure as a barber instructor shall:

- 232 (a) submit an application in a form prescribed by the division;
- 233 (b) pay a fee determined by the department under Section 63J-1-504;
- 234 (c) provide satisfactory documentation that the applicant is currently licensed as a
235 barber;

236 (d) be of good moral character;

237 (e) provide satisfactory documentation of completion of:

- 238 (i) an instructor training program conducted by a licensed or recognized school as
239 defined by rule consisting of a minimum of 500 hours or the equivalent number of credit
240 hours; or

241 (ii) a minimum of 2,000 hours of experience as a barber; and

242 (f) meet the examination requirement established by rule.

243 (3) Each applicant for licensure as a barber school shall:

- 244 (a) submit an application in a form prescribed by the division;
- 245 (b) pay a fee determined by the department under Section 63J-1-504; and
- 246 (c) provide satisfactory documentation:

247 (i) of appropriate registration with the Division of Corporations and Commercial
248 Code;

249 (ii) of business licensure from the city, town, or county in which the school is located;

250 (iii) that the applicant's physical facilities comply with the requirements established by
251 rule; and

252 (iv) that the applicant meets the standards for barber schools, including staff and
253 accreditation requirements, established by rule.

- 254 (4) Each applicant for licensure as a cosmetologist/barber shall:
- 255 (a) submit an application in a form prescribed by the division;
- 256 (b) pay a fee determined by the department under Section 63J-1-504;
- 257 (c) be of good moral character;
- 258 (d) provide satisfactory documentation of:
- 259 (i) graduation from a licensed or recognized cosmetology/barber school whose
- 260 curriculum consists of a minimum of 2,000 hours of instruction, with full flexibility within the
- 261 2,000 hours, or the equivalent number of credit hours over a period of not less than 50 weeks;
- 262 (ii) (A) having graduated from a recognized cosmetology/barber school located in a
- 263 state other than Utah whose curriculum consists of less than 2,000 hours of instruction, with
- 264 full flexibility within the 2,000 hours, or the equivalent number of credit hours; and
- 265 (B) having practiced as a licensed cosmetologist/barber for a period of not less than
- 266 4,000 hours; or
- 267 (iii) having completed an approved cosmetology/barber apprenticeship; and
- 268 (e) meet the examination requirement established by rule.
- 269 (5) Each applicant for licensure as a cosmetologist/barber instructor shall:
- 270 (a) submit an application in a form prescribed by the division;
- 271 (b) pay a fee determined by the department under Section 63J-1-504;
- 272 (c) provide satisfactory documentation that the applicant is currently licensed as a
- 273 cosmetologist/barber;
- 274 (d) be of good moral character;
- 275 (e) provide satisfactory documentation of completion of:
- 276 (i) an instructor training program conducted by a licensed or recognized school as
- 277 defined by rule consisting of a minimum of 1,000 hours or the equivalent number of credit
- 278 hours; or
- 279 (ii) a minimum of 4,000 hours of experience as a cosmetologist/barber; and
- 280 (f) meet the examination requirement established by rule.
- 281 (6) Each applicant for licensure as a cosmetologist/barber school shall:

- 282 (a) submit an application in a form prescribed by the division;
- 283 (b) pay a fee determined by the department under Section 63J-1-504; and
- 284 (c) provide satisfactory documentation:
- 285 (i) of appropriate registration with the Division of Corporations and Commercial
- 286 Code;
- 287 (ii) of business licensure from the city, town, or county in which the school is located;
- 288 (iii) that the applicant’s physical facilities comply with the requirements established
- 289 by rule; and
- 290 (iv) that the applicant meets the standards for cosmetology schools, including staff and
- 291 accreditation requirements, established by rule.
- 292 (7) Each applicant for licensure as an electrologist shall:
- 293 (a) submit an application in a form prescribed by the division;
- 294 (b) pay a fee determined by the department under Section 63J-1-504;
- 295 (c) be of good moral character;
- 296 (d) provide satisfactory documentation of having graduated from a licensed or
- 297 recognized electrology school after completing a curriculum of 600 hours of instruction or the
- 298 equivalent number of credit hours; and
- 299 (e) meet the examination requirement established by rule.
- 300 (8) Each applicant for licensure as an electrologist instructor shall:
- 301 (a) submit an application in a form prescribed by the division;
- 302 (b) pay a fee determined by the department under Section 63J-1-504;
- 303 (c) provide satisfactory documentation that the applicant is currently licensed as an
- 304 electrologist;
- 305 (d) be of good moral character;
- 306 (e) provide satisfactory documentation of completion of:
- 307 (i) an instructor training program conducted by a licensed or recognized school as
- 308 defined by rule consisting of a minimum of 175 hours or the equivalent number of credit
- 309 hours; or

- 310 (ii) a minimum of 1,000 hours of experience as an electrologist; and
- 311 (f) meet the examination requirement established by rule.
- 312 (9) Each applicant for licensure as an electrologist school shall:
- 313 (a) submit an application in a form prescribed by the division;
- 314 (b) pay a fee determined by the department under Section 63J-1-504; and
- 315 (c) provide satisfactory documentation:
- 316 (i) of appropriate registration with the Division of Corporations and Commercial
- 317 Code;
- 318 (ii) of business licensure from the city, town, or county in which the school is located;
- 319 (iii) that the applicant's facilities comply with the requirements established by rule;
- 320 and
- 321 (iv) that the applicant meets the standards for electrologist schools, including staff,
- 322 curriculum, and accreditation requirements, established by rule.
- 323 (10) Each applicant for licensure as an esthetician shall:
- 324 (a) submit an application in a form prescribed by the division;
- 325 (b) pay a fee determined by the department under Section 63J-1-504;
- 326 (c) be of good moral character;
- 327 (d) provide satisfactory documentation of one of the following:
- 328 (i) graduation from a licensed or recognized esthetic school or a licensed or recognized
- 329 cosmetology/barber school whose curriculum consists of not less than 15 weeks of esthetic
- 330 instruction with a minimum of 600 hours or the equivalent number of credit hours;
- 331 (ii) completion of an approved esthetician apprenticeship; or
- 332 (iii) (A) having graduated from a recognized cosmetology/barber school located in a
- 333 state other than Utah whose curriculum consists of less than 2,000 hours of instruction with
- 334 full flexibility within the 2,000 hours or the equivalent number of credit hours; and
- 335 (B) having practiced as a licensed cosmetologist/barber for a period of not less than
- 336 4,000 hours; and
- 337 (e) meet the examination requirement established by division rule.

- 338 (11) Each applicant for licensure as a master esthetician shall:
- 339 (a) submit an application in a form prescribed by the division;
- 340 (b) pay a fee determined by the department under Section 63J-1-504;
- 341 (c) be of good moral character; and
- 342 (d) provide satisfactory documentation of one of the following:
- 343 (i) (A) completion of at least 1,200 hours of training or the equivalent number of
- 344 credit hours over a period of not less than 30 weeks at a licensed or recognized esthetics
- 345 school; or
- 346 (B) accepting up to 600 hours or credit hours towards the 1,200 hours of training or
- 347 equivalent number of credit hours from an applicant who has graduated from a licensed or
- 348 recognized cosmetology/barbering school whose curriculum consists of a minimum of 2,000
- 349 hours of instruction with full flexibility within the 2,000 hours, or the equivalent number of
- 350 credit hours; and
- 351 (C) for practice of lymphatic massage, provide satisfactory documentation to show
- 352 completion of 200 hours of training or equivalent number of credit hours in lymphatic
- 353 massage as defined by division rule; or
- 354 (ii) completion of an approved master esthetician apprenticeship; [~~or~~]
- 355 (iii) accepting up to 600 hours or credit hours towards the 1,200 hours of training or
- 356 equivalent number of credit hours from a recognized cosmetology/barber school located in a
- 357 state other than Utah whose curriculum consists of less than 2,000 hours of instruction or the
- 358 equivalent number of credit hours; [~~and~~] or
- 359 (iv) (A) having graduated from a recognized master esthetics school located in a state
- 360 other than Utah whose curriculum consists of less than 1,200 hours of instruction, with full
- 361 flexibility within the 1,200 hours or the equivalent number of credit hours; and
- 362 (B) having practiced as a licensed master esthetician for a period of not less than
- 363 4,000 hours; and
- 364 (e) meet the examination requirement established by division rule.
- 365 (12) Each applicant for licensure as an esthetician instructor shall:

- 366 (a) submit an application in a form prescribed by the division;
- 367 (b) pay a fee determined by the department under Section 63J-1-504;
- 368 (c) provide satisfactory documentation that the applicant is currently licensed as a
- 369 master esthetician;
- 370 (d) be of good moral character;

- 371 (e) provide satisfactory documentation of completion of:
- 372 (i) an instructor training program conducted by a licensed or recognized school as
- 373 defined by rule, consisting of a minimum of 300 hours or the equivalent number of credit
- 374 hours; or

- 375 (ii) a minimum of 1,000 hours of experience in esthetics; and
- 376 (f) meet the examination requirement established by rule.

377 (13) Each applicant for licensure as an esthetics school shall:

- 378 (a) submit an application in a form prescribed by the division;
- 379 (b) pay a fee determined by the department under Section 63J-1-504; and
- 380 (c) provide satisfactory documentation:
- 381 (i) of appropriate registration with the Division of Corporations and Commercial
- 382 Code;

- 383 (ii) of business licensure from the city, town, or county in which the school is located;

- 384 (iii) that the applicant's physical facilities comply with the requirements established by
- 385 rule; and

- 386 (iv) that the applicant meets the standards for esthetics schools, including staff,
- 387 curriculum, and accreditation requirements, established by division rule made in collaboration
- 388 with the board.

389 (14) Each applicant for licensure as a nail technician shall:

- 390 (a) submit an application in a form prescribed by the division;
- 391 (b) pay a fee determined by the department under Section 63J-1-504;
- 392 (c) be of good moral character; and
- 393 (d) provide satisfactory documentation of:

394 (i) graduation from a licensed or recognized nail technology school or a licensed or
395 recognized cosmetology/barber school whose curriculum consists of not less than 300 hours or
396 the equivalent number of credit hours of not more than eight hours a day and six days a week
397 during the program; [or]

398 (ii) (A) having graduated from a recognized nail technology school located in a state
399 other than Utah whose curriculum consists of less than 300 hours of instruction or the
400 equivalent number of credit hours; and

401 (B) having practiced as a licensed nail technician for a period of not less than 1,000
402 hours; or

403 (iii) having completed an approved nail technician apprenticeship; and

404 (e) meet the examination requirement established by division rule.

405 (15) Each applicant for licensure as a nail technician instructor shall:

406 (a) submit an application in a form prescribed by the division;

407 (b) pay a fee determined by the department under Section 63J-1-504;

408 (c) provide satisfactory documentation that the applicant is currently licensed as a nail
409 technician;

410 (d) be of good moral character;

411 (e) provide satisfactory documentation of completion of:

412 (i) an instructor training program conducted by a licensed or recognized school as
413 defined by rule consisting of a minimum of 150 hours or the equivalent number of credit
414 hours; or

415 (ii) a minimum of 600 hours of experience in nail technology; and

416 (f) meet the examination requirement established by rule.

417 (16) Each applicant for licensure as a nail technology school shall:

418 (a) submit an application in a form prescribed by the division;

419 (b) pay a fee determined by the department under Section 63J-1-504; and

420 (c) provide satisfactory documentation:

421 (i) of appropriate registration with the Division of Corporations and Commercial

422 Code;

423 (ii) of business licensure from the city, town, or county in which the school is located;

424 (iii) that the applicant's facilities comply with the requirements established by rule;

425 and

426 (iv) that the applicant meets the standards for nail technology schools, including staff,
427 curriculum, and accreditation requirements, established by rule.

428 (17) Each applicant for licensure under this chapter whose education in the field for
429 which a license is sought was completed at a foreign school may satisfy the educational
430 requirement for licensure by demonstrating, to the satisfaction of the division, the educational
431 equivalency of the foreign school education with a licensed school under this chapter.

432 (18) (a) A licensed or recognized school under this section may accept credit hours
433 towards graduation for any profession listed in this section.

434 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
435 and consistent with this section, the division may make rules governing the acceptance of
436 credit hours under Subsection (18)(a).